



MAGNA CHARTA.

TRANSLATION OF THE
“ARTICLES OF THE CHARTER,”
AND THE
“GREAT CHARTER”
OF KING JOHN.

*Granted June the 15th, 1215, in the 17th year
of His Reign.*

ALSO A TRANSLATION OF THE COVENANT MADE
BETWEEN KING JOHN AND THE
BARONS OF ENGLAND.



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INTRODUCTION.

HERE is, perhaps, no Record in the History of England more popularly remembered or referred to, especially by foreigners, than the Magna Charta, or Great Charter, of King John, the original of which has been for many years deposited amongst the MSS. at the British Museum. There is a tradition connected with it, to the following effect : that Sir Robert Cotton, a learned antiquary in the reign of Queen Elizabeth, and founder of the well-known Cottonian Library, accidentally discovered it in a tailor's shop, who was about to cut it up for measures. The value of such tradition it must be left to others to decide. Most certain it is, that it formed part of the splendid collection of MSS. so made, and that it suffered in the fire which took place at Ashburnam House, Westminster, the 23rd October, 1731, after it had become the property of the nation, but before its transfer, with the library, to the present British Museum.

For years it lay a crumpled and contracted piece of vellum, until a gentleman, more ambitious than clever, undertook to restore it to its pristine condition. He succeeded in flattening the precious record, but in the process removed nearly the whole of

the writing, so that, at the present time, very little of the original writing can be deciphered. Numerous copies were probably made at the time of its ratification, and were distributed amongst the numerous religious houses then in existence. Three only of such copies are known to have been preserved to the present day, viz., one at Lincoln Cathedral, another at Salisbury, and the third at the British Museum. From the former of these the Editor of the present *brochure* has taken his translation.

He has also prefixed the translation of a record, equally interesting with the Charter itself, namely, the "Articles" drawn up by the Barons, and, it is presumed, submitted to the King, previous to the formation of the Charter itself. The original of this may be seen at the Museum. The many paintings and engravings of King John signing Magna Charta are apocryphal. In the first place, it was not customary in early times to sign charters and other records, and secondly, there is no indication, in the present instance, that the Magna Charta was an exception to this custom. It has the King's Seal attached, and that alone made it legal.

The seal attached to the original "Articles," which luckily escaped the fire, is in fair preservation ; but of the one attached to the original, a charred portion alone remains.

W. HOLDEN,

*Upwards of fifty years connected with the
Grenville Library.*





TRANSLATION OF THE "ARTICLES" OF
THE GREAT CHARTER OF LIBER-
TIES, UNDER THE SEAL OF KING
JOHN.

The Roman numerals, which are placed against each of the following Articles, divide them into forty-nine distinct heads, for the convenience of reference. The Arabic figures, which are also placed at the commencement of each Article, refer to that Chapter of King John's Great Charter in which the contents of every division are to be found. The same rule is also to be observed in the numbers of reference from the Charter back to the original Articles.

These are the particulars of what the Barons petition,
and our Lord the King grants :—

I. (2.)



AFTER the death of an Ancestor, the Heir of full age, shall have his inheritance by the ancient Relief, as expressed in the Charter. II. (3.) An Heir who is under age and who is in guardianship, when he comes to age shall have his inheritance without Relief or Fine. III. (4.) The Keeper of an Heir's land shall take only reasonable issues, customs, and services, without destruction or waste of the men or goods : and if the

keeper of such land shall make destruction or waste, he shall be dismissed from that guardianship: (5.) and the keeper shall maintain the houses, Parks, Fish ponds, Mills, and other things which belong to the land, or to the rents thereof: (6.) and that Heirs shall be married without disparagement, so that it be by the advice of them that are nearest of kin.

IV. (7.) No widow shall give any thing for her Dower or Marriage, after the decease of her husband: but she may remain within his house for forty days after his death; and within that term they shall be assigned her, and she shall have in the same place her Dower, and her Marriage portion and her Inheritance.

V. (9.) The King nor his Bailiffs shall not seize upon any land for debt, while there are sufficient goods of the Debtor's; nor shall the Securities of a Debtor be distressed, so long as the principal Debtor be solvent: but if the principal Debtor fail in payment, the Securities, if they be willing, shall have the lands of the Debtor until they shall be repaid: unless the principal Debtor can show himself to be acquitted thereof from the Securities.

VI. (15.) The King shall not grant to any of his Barons, that he shall take aid of his Freemen, unless it be for the redeeming of his own body, for the making of his eldest son a knight, and once for marrying his eldest daughter: and this shall be done by a reasonable aid.

VII. (16.) No one shall do more service for a knight's fee, than that which is due from thence.

VIII. (17-18.) That Common Pleas shall not Follow the Court of our Lord the King, but shall be assigned to any certain place: and that recognitions shall be taken in their same Counties in this manner: that the King shall send two Justiciaries four times in the year, who, with four Knights of the same County, elected by the people thereof, shall hold

Assizes of Novel Disseisin, Morte d'Ancestre, and Last Presentation : nor shall any be summoned for this, unless they be Jurors, or of the two Parties.

IX. (20.) That a Free-man shall be amerced for a small fault according to the degree of the fault ; and for a greater crime according to its magnitude ; saving to him his Contenement : a Villain also shall be amerced in the same manner, saving his Wainage ; and a Merchant in the same manner, saving his Merchandise ; by the oath of faithful men of the neighbourhood.

X. (22.) That a Clerk shall be fined according to his Lay-fee in the manner aforesaid, and not according to his Ecclesiastical benefice.

XI. (23.) No Town shall be amerced for the making of Bridges for rivers' banks, unless they shall of right have been anciently accustomed to do so.

XII. (35.) That the Measure of Corn, Wine, the breadth of cloth, and other things be amended, and the same of Weights.

XIII. (19.) That the Assizes of novel Disseisin and Morte d'Ancestre be shortened : and made like to other Assizes.

XIV. (24.) That no Sheriff shall of himself enter into Pleas belonging to the Crown, without the Crown's Authority : (25.) and that Counties and Hundreds shall be at the Ancient Ferme without increase, unless they be the Manors of our Lord the King.

XV. (26.) If any who hold of the King shall die, although a Sheriff or other Officer of the King shall seize and register his goods by the view of lawful men : yet nothing shall be removed until it be fully known if he owed anything : and his debts to our Lord the King shall be cleared : then when the whole of the King's debts are paid, the remainder shall be given up to his executors, to do according to the will of the deceased : and if he should not owe

anything to the King, all the goods of the deceased shall be restored.

XVI. (27.) If any free-man shall die intestate his goods shall be distributed by his nearest of kindred and his friends, and by the view of the Church.

XVII. (8.) No Widow shall be obliged to marry while she is willing to live without an husband ; so that she will give security that she will not marry without the consent of the King, if she hold of the King, or that of the Lord of whom she does hold.

XVIII. (28.) No Constable nor other Officer Shall take corn or other goods ; unless he Shall presently render payment : or unless he can have respite by the will of the seller.

XIX. (29.) No Constable can distrain any Knight to give money for Castle-guard ; if he be willing to keep it in his own Person, or by any other true man, if he shall not be able to do so by any reasonable cause : and if the King shall have sent him into the Army, he shall be free from Castle-guard for that space of time.

XX. (30.) No Sheriff nor Bailiff of the King nor any other, shall take horses or carts of any Free-man, for carriage, unless it be by his own will.

XXI. (31.) Neither the King nor his Bailiffs shall take another man's timber for castles or for any other uses, unless it be by the will of him to whom the timber was belonging.

XXII. (23.) The King shall not hold the lands of them that have been convicted of felony more than one year and one day, and then he shall give them up to the Lord of the Fee.

XXIII. (33.) That all Wears for the time to come shall be destroyed in the rivers of Thames and Medway, and throughout all England.

XXIV. (34.) No Writ called Precipe shall for the future be granted to any one of any tenement, whereby a Free-man may lose his cause.

XXV. (52.) If any one have been dispossessed or deprived by the King without judgment of his lands, his Liberties, or his rights, they shall immediately be restored: and if any contention should arise upon that subject, then shall it be decided by the judgment of twenty-five Barons: and that those who were disseised by the Kings our Father or our Brother, shall have right without delay according to the judgment of their Peers in the King's Courts; and if the King oweth any thing he shall have until the common term of the Crusaders, and then the Archbishop and Bishop shall cause justice to be done: and a certain day to be named for the debt being cleared.

XXVI. (36.) Not any thing shall be given for a Writ of Inquisition of life or limb, but it shall be granted freely without price and not be denied.

XXVII. (37.) If any hold of the King by Fee farm, by Socage, or by Burgage, and of another by Knight's service, our Lord the King shall not have the custody of the other Knight's-Fee, by reason of the Socage or Burgage, nor will We hold the custody of the Burgage, Socage, or Fee-farm: and that a Free-man shall not lose his Knight's-Fee by reason of Petit Sergeantry, such as of them that hold another tenement by giving for it Knives, Arrows, or the like.

XXVIII. (38.) No Bailiff can put any one to his Law upon his single accusation, without sufficient witnesses.

XXIX. (39.) No Free-man's body shall be taken, nor imprisoned, nor disseised, nor outlawed, nor banished, nor in any ways be damaged, nor shall the King send him to prison by force, excepting by the judgment of his peers and by the Law of the land.

XXX. (40.) No right shall be sold, delayed, or denied.

XXXI. (41.) That Merchants shall have safety to go and come, buy and sell, without any evil tolls, but by ancient and honest customs.

XXXII. (12.) No Scutage nor aid shall be imposed on the Kingdom, excepting by the Common Council of the Kingdom: unless it be to redeem the King's body, to make his eldest son a Knight, and once to marry his eldest daughter: and that to be a reasonable aid: and in like manner shall it be concerning the Taillage and aids of the City of London; and of other Cities which from this time shall have their liberties: and that the City of London shall fully have all its liberties and free customs, as well by water as by land.

XXXIII. (42.) That it shall be lawful for any one to go out of the Kingdom and return again: saving his allegiance to our Lord the King, unless in time of war, by some short space for the common benefit of the Kingdom.

XXXIV. (10.) If any one have borrowed any thing of the Jews more or less, and shall die before they have cleared that debt, there shall be no interest paid for that debt so long as the Heir is under age, of whomsoever he may hold; and if the debt shall fall into the King's hands, the King shall take only the chattel, which is contained in the Charter.

XXXV. (11.) If any one die indebted to the Jews, his Wife shall have her Dower, and if he shall have left children, they shall have necessities provided for them according to his tenement, and out of the residue the debt shall be paid, saving the service of the Lords. (5.) In like manner shall it be with other debts; and that guardians of land shall give to the Heir when he shall come to full age, his land stocked according to what the same can reasonably bear, and the land shall require, with ploughs and carriages.

XXXVI. (43.) If any man hold of us any Escheat, such as the Honour of Wallingford, Nottingham, Bologne, or Lancaster, or of any other Escheats which are in the King's hands and are Baronies, and dies, his Heir shall not give any other Relief nor do to the King any other service, than he would do to the Baron ; and that the King shall hold it in the same manner as if the Baron held it.

XXXVII. (55.) That Fines which are made for Dowers, the Marriages of Heirs, and unjust amercia-ments against the Law of the Land, shall be either entirely forgiven, or else left to be decided by the Judgment of the twenty-five Barons, or by the decision of the greater part of them with one Archbishop and others whom he shall be willing to call with him ; but so that if any one or any of the twenty-five shall be concerned in the cause, they shall be removed, and others be substituted in their places by the remainder of the twenty-five.

XXXVIII. (49.) That the Hostages and engagements which were given to the King as security, shall be delivered up.

XXXIX. (44.) That they who dwell without the Forest shall not appear before the Justiciaries of the Forests upon a common summons, unless they are impleaded or are securities : (48.) and that irregular customs of Forests and of Foresters, and Warrenners, and Sheriffs, and Keepers of Rivers, shall be amended by twelve Knights of the same Shire, who ought to be elected by true men of the same Shire.

XL. (50.) That the King shall remove from his Bailiwicks the relations and all the followers of Gerard de Athyes, so that for the future they shall not hold a Bailiwick : they are namely, Engelard, Andrew, Peter, and Gyon de Chancell, Gyon de Cygony, Matthew de Martin, and his brother, and Walter his Nephew, and Philip Mark. XLI. (51.) That the King shall remove all Foreign Knights,

Stipendiaries, Crossbowman, Infringers, and Servitors, who came with horses and arms to the injury of the Kingdom. XLII. (45.) That the King shall make Justiciaries, Sheriffs, and Bailiffs, of such as know the Law of the Land, and are disposed duly to observe it. XLIII. (46.) That Barons who have founded Abbeyes, and hold them by Charters from the King, or by ancient tenure, shall have the custody of them when they shall be vacant.

XLIV. (56.) If the King have disseised or dispossessed the Welsh of Lands or Liberties or other things in England or in Wales, they shall immediately without plea be restored; and if they were disseised or dispossessed of their English tenements by the King's father or brother, without judgment of their peers, he shall without delay do them justice according to the manner of justice in England:—for their English tenements according to the English Law, for the Welsh tenements according to the Law of Wales, and for tenements on the Marches according to the Law of the Marches:—the same shall the Welsh do to the King and to his subjects.

XLV. (58.) That the King shall give up the Son of Llewellyn: and moreover all the Hostages of Wales, and the engagements which they have entered into for the security of the peace.

XLVI. (59.) That the King shall treat unless it ought to be otherwise by engagements which the King hath entered into, and this shall be decided by the judgment of the Archbishop, and with the King of Scots, on the restoring of hostages, and his rights and Liberties, according to the same form as he shall do with the Barons of England, others, whom he shall think proper to call with him.

XLVII. (47.) And all Forests which have been afforested by the King in his time, shall be disforested, and the same shall be done with rivers which have been fenced by the King himself.

XLVIII. (60.) All the aforesaid customs and Liberties which the King hath conceded are to be holden in the Kingdom as much as belongs to him : therefore all his subjects of the realm, as well Ecclesiastics as Laity shall observe them inasmuch as they are concerned, from themselves towards their dependants.

XLIX. (16.) This is the form of the security for the observance of the peace and liberties between the King and the Kingdom : That the Barons may elect twenty-five Barons of the Kingdom, whom they will, who shall take care with all their might to hold and observe, and cause to be observed, the peace and Liberties which our Lord the King hath conceded, and by his Charter hath confirmed, so that, namely, if the King or the Justiciaries or Bailiffs of the King, or any of his Ministers shall in any case fail in the performance of them towards any person, or shall break through these Articles of peace and security, and the offence be notified to four Barons of the aforesaid five-and-twenty, they the four Barons shall go to our Lord the King, or to his Justiciary, if the King shall be out of the Kingdom, and laying open the Grievance shall petition to have it redressed without delay ; and if the King shall not amend it, or his Justiciary shall not amend it for him if the King shall be out of the Kingdom, within a reasonable time determined upon in the aforesaid Charter, the four Barons shall refer the case to the remainder of the twenty-five, and they the twenty-five with the whole community of the land, shall distrain and distress the King by all the means which they can ; that is to say by taking his Castles, Lands, Possessions, and in every other manner which they can until amendment shall be made according to their decision, saving the persons of the King and Queen and of their children, and when the grievance shall be redressed, they shall obey our Lord the King as before ; and whosoever of the Kingdom is willing,

may swear to obey the orders of the aforesaid five-and-twenty Barons and harrass the King with them to the extent of his power; and the King shall give public and free leave to any to swear to them that are willing to swear, and he shall not prohibit any from swearing, also, all those of the land who of themselves and of their own accord will not swear to join with the five-and-twenty Barons, to distrain and distress the King, the King shall make them swear to the same such as is aforesaid, by his command. Also, if any of the aforesaid five-and-twenty Barons shall die or remove from the land or by any other way be prevented from putting the things aforesaid into execution, the five-and-twenty may elect another in his place, by their own decision, who shall be sworn in a similar way with the rest. Also in all things that are committed to the charge of these five-and-twenty Barons, if when they be all assembled, and between themselves they should disagree upon any thing, or some of them when called cannot or will not come, whatever be agreed upon by the greater part, shall be as firm and valid as if all the five-and-twenty had given their consent; and the aforesaid five-and-twenty shall swear, that all the aforesaid they will faithfully observe, and will cause to be observed, with their whole power. (63.) Moreover the King shall make them secure by the engagements of the Archbishops and Bishops, and of Master Pandulph, that he will not procure from our Lord the Pope, any thing by which any part of this Covenant shall be revoked or lessened, and if any such thing be obtained, let it be considered as null and void.





TRANSLATION OF THE
“MAGNA CHARTA,”

OR

THE GREAT CHARTER OF KING JOHN.

GRANTED JUNE 15TH, 1215, IN THE SEVENTEENTH YEAR OF HIS
REIGN.

From the original, preserved in the archives of Lincoln Cathedral.



JOHN by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou, to his Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries, Foresters, Sheriffs, Governors, Officers, and to all Bailiffs and his faithful subjects,—Greeting. Know ye, that We, in the presence of God, and for the salvation of our own soul, and of the souls of all our Ancestors, and of our heirs, to the honour of God, and the exaltation of the Holy Church and amendment of our Kingdom, by the counsel of our venerable fathers, Stephen Archbishop of Canterbury, Primate of all England, and Cardinal of the Holy Roman Church, Henry Archbishop of Dublin, William of London, Peter of Winchester, Joceline of Bath and Glastonbury, Hugh of Lincoln, Walter of

Worcester, William of Coventry, and Benedicte of Rochester, Bishops; Master Pandulph our Lord the Pope's Subdeacon and familiar, Brother Almeric Master of the Knights Templars in England, and of these noble persons, William Mareschal Earl of Pembroke, William Earl of Salisbury, William Earl of Warren, William Earl of Arundel, Alan de Gallo-way Constable of Scotland, Warin Fitz-Gerald, Hubert de Burgh Seneschal of Poictou, Peter Fitz-Herbert, Hugh de Nevil, Matthew Fitz-Herbert, Thomas Basset, Alan Basset, Philip de Albiniac, Robert de Rappel, John Mareschal, John Fitz-Hugh, and others our liegemen; have in the First place granted to God, and by this our present Charter, have confirmed, for us and our heirs for ever:—(I.) That the English Church shall be free, and shall have her whole rights and her liberties inviolable; and we will this to be observed in such manner, that it may appear from thence, that the freedom of elections, which was reputed most requisite to the English Church, which we granted, and by our Charter confirmed, and obtained the Confirmation of the same, from our Lord Pope Innocent the Third, before the rupture between us and our Barons, was of our own free will: which Charter we shall observe, and we will it to be observed with good faith, by our heirs for ever.—(II.) We have also granted to all the Freemen of our Kingdom, for us and our heirs for ever, all the underwritten Liberties, to be enjoyed and held by them and by their heirs, from us and from our heirs.—(II. 1.) If any of our Earls and Barons, or others who hold of us in chief by military service, shall die, and at his death his heir shall be of full age, and shall owe a relief, he shall have his inheritance by the ancient relief; that is to say, the heir or heirs of an Earl, a whole Earl's Barony for one hundred pounds; the heir or heirs of a Baron, for

a whole Barony, by one hundred pounds; the Heir or heirs of a Knight, for a whole Knight's Fee, by one hundred shillings at most; and he who owes less, shall give less, according to the ancient custom of fees.—(III. 2.) But if the heir of any such be under age, and in wardship when he comes to age, he shall have his inheritance without relief and without fine.—(IV. 3.) The warden of the land of such heir who shall be under age, shall not take from the lands of the heir any but reasonable issues, and reasonable customs, and reasonable services, and that without destruction and waste of the men or goods, and if we commit the custody of any such lands to a Sheriff, or any other person who is bound to us for the issues of them, and he shall make destruction or waste upon the ward-lands we will recover damages from him, and the lands shall be committed to two lawful and discreet men of that Fee, who shall answer for the issues to us, or to him to whom we have assigned them. And if we shall give or sell to anyone the custody of any such lands, and he shall make destruction or waste upon them, he shall lose the custody; and it shall be committed to two lawful and discreet men of that fee, who shall answer to us in like manner as it is said before.—(V.) But the warden as long as he hath the custody of the lands; shall keep up and maintain the houses, parks, warrens, ponds, mills, and other things belonging to them, out of their issues; (35) and shall restore to the heir when he comes of full age, his whole estate, provided with ploughs, and other implements of husbandry, according as the time of wainage shall require, and the issues of the lands can reasonably afford.—(VI. 3.) Heirs shall be married without disparagement, so that before the marriage be contracted, it shall be notified to the relations of the heir by consanguinity.—(VII. 4.) A widow, after

the death of her husband, shall immediately, and without difficulty have her Marriage and her inheritance : nor shall she give any thing for her dower, or for her marriage, or for her inheritance, which her husband and she held at the day of his death ; and she may remain in her husband's house forty days after his death, within which time her dower shall be assigned.—(VIII. 17.) No widow shall be distrained to marry herself, while she is willing to live without a husband ; but yet she shall give security that she will not marry herself without our consent, if she hold of us, or without the consent of the lord of whom she does hold, if she hold of another.—(IX. 5.) Neither we nor our Bailiffs, will seize any land or rent for any debt, while the chattels of the debtor are sufficient for the payment of the debt, nor shall the sureties of the debtor be distrained, while the principal debtor is able to pay the debt ; and if the principal debtor fail in payment of the debt, not having wherewith to discharge it, the sureties shall answer for the debt, and if they be willing, they shall have the lands and rents of the debtor, until satisfaction be made to them, for the debt, which they had before paid for him, unless the principal debtor can shew himself acquitted thereof against the said sureties.—(X. 34.) If any one hath borrowed anything from the Jews, more or less, and die before the debt be paid, the debt shall pay no interest so long as the heir shall be under age, of whomsoever he may hold, and if that debt shall fall into our hands, we will not take anything except the chattel contained in the bond.—(XI. 35.) And if any one shall die indebted to the Jews, his wife shall have her dower and shall pay nothing of that debt, and if children of the deceased shall remain who are under age necessities shall be provided for them, according to the tenement which belonged to the deceased : and out of the Residue, the debt shall be

paid saving the rights of the Lords of whom the lands are held. In like manner let it be with debts owing to others than Jews.—(XII. 32.) No scutage nor aid shall be imposed in our Kingdom, unless by the common council of our Kingdom; excepting to redeem our person, to make our eldest son a Knight, and once to marry our eldest daughter, and not for these, unless a reasonable aid shall be demanded.—(XIII.) In like manner let it be concerning the aids of the City of London,—And the City of London should have all its Ancient liberties, and its free customs, as well by land as by water. Furthermore, we will and grant that all other Cities, and Burghs, and Towns, and Ports, should have all their liberties and free customs.—(XIV.) And also to have the common council of the Kingdom, to assess and aid, otherwise than in the three cases aforesaid: and for the assessing of scutages, we will cause to be summoned the Archbishop, Bishops, Abbots, Earls, and great Barons, individually, by our letters.—And besides, we will cause to be summoned in general by our Sheriffs and Bailiffs, all those who hold of us in chief at a certain day, that is to say at the distance of forty days, (before their meeting) at the least, and to a certain place: and in all the letters of summons, we will express the cause of the summons: and the summons being thus made, the business shall proceed on the day appointed, according to the counsel of those who shall be present although all who had been summoned have not come.—(XV. 6.) We will not give leave to any one, for the future, to take an aid of his own free-men, except for redeeming his own body, and for making his eldest son a Knight, and for marrying once his eldest daughter, and not that unless it be a reasonable aid.—(XVI. 7.) None shall be distrained to do more service for a Knights Fee nor for any other free tenement, than what is due from thence.—(XVII. 8.)

Common Pleas shall not Follow our court, but shall be held in any certain place.—(XVIII.) Trials upon the writs of Novel Disseisin, of Mort d'Ancestre (death of the ancestor,) and Darrien Presentment; last presentation shall not be taken but in their proper counties, and in this manner.—We, or our Chief Justiciary, if we are out of the Kingdom, will send two Justiciaries into each county four times in the year, who with four Knights of each county, chosen by the county, shall hold the aforesaid assizes, within the county on the day, and at the place appointed.—(XIX. 13.) And if the aforesaid assizes, cannot be taken on the day of the county-court, let as many knights and freeholders, of those who were present at the county-court remain behind, as shall be sufficient to do justice, according to the great or less importance of the business.—(XX. 9.) A freeman shall not be amerced for a small offence, but only according to the degree of the offence: and for a great delinquency according to the magnitude of the delinquency saving his contenement a Merchant shall be amerced in the same manner, saving his merchandise, and a villain shall be amerced after the same manner, saving to him his wainage, if he shall fall into our mercy, and none of the aforesaid amerciaments shall be assessed; but by the oath of honest men of the vicinage.—(XXI.) Earls and Barons shall not be amerced but by their peers, and that only according to the degree of their delinquency.—(XXII. 10.) No Clerk shall be amerced for his lay-tenement, but according to the manner of the others as aforesaid, and not according to the quantity of his ecclesiastical benefice.—(XXIII. 11.) Neither a town nor any person shall be distrained to build bridges or embankments, excepting those which anciently, and of right, are bound to do it.—(XXIV. 14.) No Sheriff, Constable, Coroners, nor other of our Bailiffs, shall hold pleas of our crown.—

(XXV.) All Counties, and hundreds, Trethings and Wapontakes, shall be at the ancient rent, without any increase, excepting in our Demesne-manors.—(XXVI. 15.) If any one holding of us a Lay-fee dies, and the Sheriff or our Bailiff shall shew our letters patent of summons concerning the debt which the defunct owed to us, it shall be lawful for the Sheriff or our Bailiff to attach and register the chattels of the defunct found on that lay-fee, to the amount of that debt by the view of lawful men, so that nothing shall be removed from thence until our debt be paid to us; and the rest shall be left to the executors to fulfil the will of the defunct; and if nothing be owing to us by him, all the chattels shall fall to the defunct, saving to his wife and children their reasonable shares.—(XXVII. 16.) If any free-man shall die intestate, his chattels shall be distributed by the hands of his nearest relations and friends, by the view of the Church, saving to every one the debts which the defunct owed.—(XXVIII. 18.) No Constable nor other Bailiff of ours shall take the corn or other goods of any one, without instantly paying money for them, unless he can obtain respite from the free will of the seller.—(XXIX. 19.) No Constable (Governor of the Castle) shall distrain any Knight to give money for castle guard, if he be willing to perform it in his own person or by another able man, if he cannot perform it himself, for a reasonable cause: and if we have carried or sent him into the army, he shall be excused from castle guard, according to the time that he shall be in the army by our command.—(XXX. 20.) No Sheriff nor Bailiff of ours, nor any other person, shall take the horses or carts of any free-man for the purpose of carriage, without the consent of the said free-man.—(XXXI. 21.) Neither we, nor our Bailiffs, will take another man's wood, for our castles or other uses, unless by the consent of him to whom the wood

belongs.—(XXXII. 22.) We will not retain the lands of those who have been convicted of felony, excepting for one year and one day, and then they shall be given up to the lord of the fee.—(XXXIII. 23.) All Kydells (weirs) for the future shall be quite removed out of the Thames and Medway, and through all England, excepting upon the sea-coast.—(XXXIV. 24.) The writ which is called *Præcipe*, for the future shall not be granted to any one of any tenement, by which a freeman may lose his court.—(XXXV. 12.) There shall be one measure of wine throughout all our Kingdom, and one measure of ale, and one measure of corn, namely, the quarter of London: and one breadth of dyed cloth; and of russets, and of halberjects, namely, two ells within the lists. Also it shall be the same with weights as with measures.—(XXXVI. 26.) Nothing shall be given or taken for the future for the Writ of Inquisition of life or limb; but it shall be given without charge, and not denied.—(XXXVII. 27.) If any hold of us by Fee-Farm, or Socage, or Burgage, and hold land of another by Military service, we will not have the custody of the heir, nor of his lands, which are of the fee of another, on account of that Fee-Farm, or Socage, or Burgage; nor will we have the custody of the Fee-Farm, Socage, or Burgage, unless the Fee-Farm owe Military Service, we will not have the custody of the heir, nor of the lands of any one, which he holds of another by Military Service, on account of any Petty-Sergeantry which he holds of us by the service of giving us daggers, or arrows, or the like.—(XXXVIII. 28.) No Bailiff, for the future, shall put any man to his law, upon his own simple affirmation, without credible witnesses produced for that purpose.—(XXXIX. 29.) No freeman shall be seized or imprisoned, or dispossessed, or outlawed, or in any way destroyed; nor will we condemn him, nor will we commit him to

prison, excepting by the legal judgment of his peers, or by the laws of the land.—(XL. 30.) To none will we sell, to none will we deny, to none will we delay, right or justice.—(XLI. 31.) All Merchants shall have safety and security in coming into England, and going out of England, and in staying and in travelling through England, as well by land as by water, to buy and sell, without any unjust exactions, according to ancient and right customs, excepting in the time of war, and if they be of a country at war against us: and if such are found in our land at the beginning of a war, they shall be apprehended without injury of their bodies and goods, until it be known to us, or to our Chief Justiciary, how the Merchants of our country are treated who are found in the country at war against us; and if ours be in safety there, the others shall be in safety in our land.—(XLII. 33.) It shall be lawful to any person, for the future, to go out of our kingdom, and to return, safely and securely, by land or by water, saving his allegiance to us, unless it be in time of war, for some short space, for the common good of the kingdom; excepting prisoners and outlaws, according to the laws of the land, and of the people of the nation at war against us, and Merchants who shall be treated as it is said above.—(XLIII. 36.) If any hold of any escheat, as of the Honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which are in our hand, and are Baronies, and shall die, his heir shall not give any other relief, nor do any other service to us, than he should have done to the Baron, if that Barony had been in the hands of the Baron, and we will hold it in the same manner that the Baron held it.—(XLIV. 39.) Men who dwell without the Forest, shall not come, for the future, before our Justiciaries of the Forest on a common Summons; unless they be parties in a plea, or sureties for some person or persons who are attached

for the Forest.—(XLV. 42.) We will not make Justiciaries, Constables, Sheriffs, or Bailiffs, excepting of such as know the laws of the land, and are well disposed to observe them.—(XLVI. 43.) All Barons who have founded Abbies, which they hold by charters from the Kings of England, or by ancient tenure, shall have the custody of them when they become vacant, as they ought to have.—(XLVII. 47.) All Forests which have been made in our time, shall be immediately disforested; and it shall be so done with Water-banks, which have been taken or fenced in by us during our reign.—(XLVIII. 39.) All evil customs of Forests and Warrens, and of Foresters and Warreners, Sheriffs and their officers, Water-banks and their Keepers, shall immediately be inquired into by twelve knights of the same county, upon oath, who shall be elected by good men of the same county; and within forty days after the inquisition is made, they shall be altogether destroyed by them, never to be restored; provided that this be notified to us before it be done, or to our Justiciary, if we be not in England.—(XLIX. 38.) We will immediately restore all hostages and charters, which have been delivered to us by the English, in security of the peace and of their faithful service.—(L. 40.) We will remove from their Bailiwicks the relations of Gerard de Athyes, so that, for the future, they shall have no bailiwick in England; Engelard de Cygony, Andrew, Peter, and Gyone de Chancell, Gyone de Cygony, Geoffrey de Martin, and his brothers, Philip Mark, and his brothers, and Geoffrey his nephew, and all their followers.—(LI. 41.) And immediately after the conclusion of the peace, we will remove out of the Kingdom all foreign Knights; cross-bow-men and stipendiary soldiers, who have come with horses and arms to the molestation of the Kingdom.—(LII. 25.) If any have been disseised or dispossessed by us, without a legal verdict of their

peers, of their lands, castles, liberties, or rights, we will immediately restore these things to them ; and if any dispute shall arise on this head, then it shall be determined by the verdict of the twenty-five Barons, of whom mention is made below, for the security of the peace.—Concerning all those things of which any one hath been disseised or dispossessed, without the legal verdict of his peers by King Henry our father, or King Richard our brother, which we have in our hand, or others hold with our warrants, we shall have respite, until the common term of the Croisaders, excepting those concerning which a plea had been named, or an inquisition taken, by our precept, before our taking the Cross ; but as soon as we shall return from our expedition, or if, by chance, we should not go upon our expedition, we will immediately do complete justice therein.—(LIII.) The same respite will we have, and the same justice shall be done, concerning the disforestation of the forests, or the forests which remain to be disforested, which Henry our father, or Richard our brother, have afforested ; and the same concerning the wardship of lands which are in another's fee but the wardship of which we have hitherto had, occasioned by any of our fees held by Military service ; and for Abbies founded in any other fee than our own, in which the Lord of the fee hath claimed a right ; and when we shall have returned, or if we shall stay from our expedition, we shall immediately do complete justice in all these pleas.—(LIV.) No man shall be apprehended or imprisoned on the appeal of a woman, for the death of any other man than her husband.—(LV. 37.) All fines that have been made by us unjustly, or contrary to the laws of the land : and all amerciaments that have been imposed unjustly, or contrary to the laws of the land, shall be wholly remitted, or ordered by the verdict of the twenty-five Barons, of whom mention is made below, for the

security of the peace, or by the verdicts of the greater part of them, together with the aforesaid Stephen, Archbishop of Canterbury, if he can be present, and others whom he may think fit to bring with him; and if he cannot be present, the business shall proceed, notwithstanding, without him; but so, that if any one or more of the aforesaid twenty-five Barons have a similar plea, let them be removed from that particular trial, and others elected and sworn by the residue of the same twenty-five be substituted in their room, only for that trial.—(LVI. 44.) If we have disseised or dispossessed any Welshmen of their lands, or liberties, or other things, without a legal verdict of their peers, in England or in Wales, they shall be immediately restored to them: and if any dispute shall arise upon this head, then let it be determined in the Marches by the verdict of their peers: for a tenement of England, according to the law of England: for a tenement of Wales, according to the law of Wales; for a tenement of the Marches, according to the law of the Marches. The Welsh shall do the same to us and to our subjects.—(LVII.) Also concerning those things of which any Welshman hath been disseised or dispossessed without the legal verdicts of his peers, by King Henry our father, or King Richard our brother, which we have in our hand, or others hold with our warrant, we shall have respite, until the common term of the Croisaders, excepting for those concerning which a plea had been moved, or an inquisition made, by our precept before our taking the Cross. But as soon as we shall return from our expedition, or if, by chance, we should not go upon our expedition, we shall immediately do complete justice therein, according to the laws of Wales, and the parts aforesaid.—(LVIII. 45.) We will immediately deliver up the son of Llewelin, and all the hostages of Wales, and release them from their engagements which were

made with us for the security of the peace.—(LIX. 46.) We shall do to Alexander King of Scotland, concerning the restoration of his sisters and hostages, and his liberties and rights, according to the form in which we act to our other Barons of England, unless it ought to be otherwise by the Charters which we have from his father William, the late King of Scotland: and this shall be by verdict of his peers in our court.—(LX. 48.) Also all these customs and liberties aforesaid, which we have granted to be held in our kingdom, for so much of it as belongs to us, all our subjects, as well clergy as laity, shall observe towards their tenants as far as concerns them.—(LXI. 49.) But since we have granted all these things aforesaid, for God, and for the amendment of our Kingdom, and for the better extinguishing the discord which has arisen between us and our Barons, we being desirous that these things should possess entire and unshaken stability for ever, give and grant to them the security under written; namely, that the Barons may elect twenty-five Barons of the Kingdom, whom they please, who shall with their whole power, observe, keep, and cause to be observed, the peace and liberties which we have granted to them, and have confirmed by this our present charter, in this manner: that is to say, if we, or our Justiciary, or our bailiffs; or any of our officers, shall have injured any one in any thing, or shall have violated any article of the peace or security, and the injury shall have been shown to four of the aforesaid twenty-five Barons, the said four Barons shall come to us, or to our Justiciary if we be out of the Kingdom, and making known to us the excess committed, petition that we cause that excess to be redressed without delay, and if we shall not have redressed the excess, or, if we have been out of the Kingdom, our Justiciary shall not have redressed it within the term of forty days, computing from the time when it shall

have been made known to us, or to our Justiciary if we have been out of the Kingdom, the aforesaid four Barons, shall lay that cause before the residue of the twenty-five Barons; and they, the twenty-five Barons, with the community of the whole land, shall distress and harass us by all the ways in which they are able; that is to say, by the taking of our castles, lands, and possessions, and by any other means in their power, until the excess shall have been redressed, according to their verdicts; saving harmless our person, and the persons of our Queen and children; and when it hath been redressed, they shall behave to us as they have done before, and whoever of our land pleaseth, may swear, that he will obey the commands of the aforesaid twenty-five Barons, in accomplishing all the things aforesaid, and that with them he will harass us to the utmost of his power; and we publicly and freely give leave to every one to swear who is willing to swear; and we will never forbid any to swear: But all those of our land, who, of themselves, and of their own accord, are unwilling to swear to the twenty-five Barons, to distress and harass us together with them, we will compel them by our command, to swear as aforesaid, and if any one of the twenty-five Barons shall die, or remove out of the land, or in any other way shall be prevented from executing the things above said, they who remain of the twenty-five Barons shall elect another in his place, according to their own pleasure, who shall be sworn in the same manner as the rest. In all those things which are appointed to be done by these twenty-five Barons, if it happen that all the twenty-five have been present, and have differed in their opinions about anything, or if some of them who had been summoned, would not, or could not be present, that which the greater part of those who were present shall have provided and decreed, shall be held as firm and as valid as if all the twenty-five had agreed in it: and

the aforesaid twenty-five shall swear, that they will faithfully observe, and, with all their power cause to be observed, all the things mentioned above, and we will obtain nothing from any one, by ourselves, nor by another, by which any of these concessions and liberties may be revoked or diminished. And if any such thing shall have been obtained, let it be void and null : and we will never use it neither by ourselves nor by another.—(LXII.) And we have fully remitted and pardoned to all men, all the ill-will, rancour, and resentments, which have arisen between us and our subjects, both clergy and laity, from the commencement of the discord. Moreover, we have fully remitted to all the clergy and laity, and as far as belongs to us, have fully pardoned all transgressions committed by occasion of the said discord, from Easter, in the sixteenth year of our reign, until the conclusion of the peace.—(49.) And, moreover, we have caused to be made to them testimonial letters-patent of the Lord Stephen Archbishop of Canterbury, the Lord Henry Archbishop of Dublin, and of the aforesaid bishops, and of Master Pandulph concerning this security, and the aforesaid concessions.—(LXIII.) Wherefore, our will is, and we firmly command that the Church of England be free, and that the men in our Kingdom have and hold the aforesaid liberties, rights, and concessions, well and in peace, freely and quietly, fully and entirely, to them and their heirs, of us and our heirs in all things and places, for ever, as is aforesaid. It is also sworn, both on our part and on that of the Barons, that all the aforesaid shall be observed in good faith, and without any evil intention. Witnessed by the above, and many others.—Given by our hand in the Meadow which is called Running-mead, between Windsor and Staines, this 15th day of June, in the 17th year of our reign.



TRANSLATION OF THE COVENANT
MADE BETWEEN KING JOHN
AND THE BARONS OF
ENGLAND, A.D. 1215.

THIS is the Covenant made between our Lord John King of England, on the one part, and Robert Fitzwalter, elected Marshal of God and of the Holy Church in England; and Richard Earl of Clare, Geoffrey Earl of Essex and Gloucester, Roger Bigod Earl of Norfolk and Suffolk, Saher Earl of Winchester, Robert Earl of Oxford, Henry Earl of Hereford, and the Barons under-written : That is to say William Marshall the younger, Eustace de Percy, William de Mowbray, John Fitz Robert, Roger de Mont Begon, William de Lanvalay, and other Earls and Barons, and Freemen of the whole Kingdom on the other part; namely, that they the Earls and Barons and others before written, shall hold the custody of the City of London in bail from our Lord the King : saving that they shall clearly render all the debts and revenues within the same, to our Lord the King, until the term of the Assumption of the Blessed Virgin Mary, in the seventeenth year of his reign. And the Lord of Canterbury shall hold in like manner of bail from our Lord the King, the custody of the Tower of London to the aforesaid

term, saving to the City of London its liberties and free customs, and taking his oath in the keeping of the said Tower, that our Lord the King shall in the meanwhile not place a guard nor other forces in the aforesaid City, nor in the Tower of London. And that also within the aforesaid term, the oaths to the twenty-five Barons be tendered throughout all England, as it is contained in the Charter granted concerning the liberties and security of the Kingdom : or to the attornies of the twenty-five Barons as it is contained in the letters granted concerning the election of twelve Knights for abolishing evil customs of the forests and others.—And, moreover, within the said term, all the other demands which the Earls, Barons, and other freemen do ask of our Lord the King which he himself has declared to be granted to them, or which by the twenty-five Barons, or by the greater part of them shall be judged proper to be granted, are to be given, according to the tenor of the said Charter. 'And if these things shall be done, or if our Lord the King on his part shall agree to do them, within the term limited, then the City and Tower of London shall at the same term be delivered up to our Lord the King, saving always to the aforesaid City its liberties and free customs as it is before written :—And if these things shall not be done, and if our Lord the King shall not agree to do them within the period aforesaid, the Barons shall hold the aforesaid City and the Lord Archbishop the Tower of London, until the aforesaid deeds shall be compleated, and in the mean-while all of both parts shall recover the castles, lands and towns, which have been taken in the beginning of the war that has arisen between our Lord the King and the Barons.





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